



# City Council Agenda

Council President  
**Henry Perea**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Brad Castillo**

**Jerry Duncan**  
**Sal Quintero**  
**Daniel Ronquillo**, Acting President

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, AUGUST 28, 2001**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

**8:30 A.M.    **JOINT MEETING WITH THE REDEVELOPMENT AGENCY****

## **Roll Call**

Invocation by Pastor Joseph Thorton, of the Liberty Christian Fellowship  
Pledge of Allegiance to the Flag

Proclamation of "FRESNO HIGH SCHOOL CLASS OF 1951 DAY" - Councilmember Boyajian

Proclamation of "DOWNTOWN FINE ARTS AND WINE FESTIVAL" - Acting President Ronquillo

Presentation by State Alcoholic Beverage Control of plaques to Officer Greg Noll and Officer Steve Myers

Approve minutes of July 24 and July 31, 2001

## **Action Taken:**

***\* ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED**

- A. Recommend that the City Council and Agency take the following action relating to the development of Lavera's Infant Nursery and Day Care School Project at the northeasterly corner of Fresno and "A" Streets, in the southwest Fresno Redevelopment Project Area:
1. **RESOLUTION** - Approving the relocation plan for the Lavera's Infant Nursery and Day Care School Project  
**Action Taken:**
  2. **RESOLUTION** - Approving the Disposition and Development/Owner Participation Agreement (DDA) between the Redevelopment Agency and Lonzell and Lavera Williams for the development of the Lavera's Infant Nursery and Day Care School, and making certain findings pursuant to Health and Safety Code Section 33433 and 33445  
**Action Taken:**
  3. Authorize the Executive Director or his designee, the Redevelopment Administrator, to negotiate and execute purchase agreements, substantially in the form attached, within the prices presented, and to execute any other documents as necessary to carry out the DDA including, without limitation, deed and escrow instructions  
**Action Taken:**
  4. Authorize the Executive Director or his designee, the Redevelopment Administrator, after assembling the project site to convey the land to the Williams, subject to the purchase price, deed restrictions, and other terms contained in the DDA, and to execute the documents necessary for the conveyance including, without limitation, escrow instructions and deeds  
**Action Taken:**
- B. **RESOLUTION** - Authorizing the Executive Director or the Redevelopment Administrator of the Agency to transfer the real property underlying Capitol Street to the City of Fresno  
**Action Taken:**
- C. Consider the Annual Report from the Housing Authorities of the City and County of the Community Housing Partnership Program funded by the Redevelopment Agency  
**Action Taken:**
1. Approval of Amendment No. 2 to the Agency contract with the Housing Authority which increases the minor rehabilitation grant amount by \$1,500, augments service areas, and augments programs and services to include eligible SMART Program activities  
**Action Taken:**
- D. Direct staff to prepare amendment to Health and Welfare Trust Agreement to include members of the Redevelopment Agency as part of Health and Welfare Trust - Council President Perea

### **ADJOURN AGENCY**

**COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve minutes of August 21, 2001

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

### **TIME SCHEDULED HEARINGS AND MATTERS**

**9:30 A.M.** Housing Study Session

**Action Taken:**

**10:20 A.M. HEARING** to consider Rezoning Application No. R-01-021, and related environmental findings, filed by the Ownesby Family Limited Partnership, for 20.3 acres of property located on the north side of W.t Herndon Avenue between N. Marks and N. Valentine Avenues (***Council District 2***) - Development Dept.

1. Consider and adopt Negative Declaration for Environmental Assessment No. R-01-021, dated June 20, 2001
2. **BILL** - Amending the Official Zone Map to rezone property from the R-1-B/EA/UGM zone district to the R-2/EA/UGM and C-P/EA/UGM

**Action Taken:**

**10:30 A.M. HEARING** to consider Rezoning Application No. R-01-022, and related environmental findings, filed by Carol I. Gentsch, for 0.13 acre of property located on the north side of E. Shields Avenue between N. College and N. Del Mar Avenues (***Council District 7***) - Development Dept.

1. Consider and adopt Categorical Exemption for Environmental Assessment No. R-01-022, dated June 20, 2001
2. **BILL** - Amending the Official Zone Map to rezone property from the R-P zone district

**Action Taken:**

**10:35 A.M. HEARING** to consider Rezoning Application No. R-01-023, and related environmental findings, filed by Vincent Palacios, for 0.2 acre of property located on the west side of N. Van Ness Avenue between E. Nevada and E. Divisadero Avenue (***Council District 3***) - Development Dept.

1. Consider and adopt Categorical Exemption for Environmental Assessment No. R-01-023, dated June 20, 2001
2. **BILL** - Amending the Official Zone Map to rezone property from the C-5 zone district to the R-1 zone district

**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

**10:45 A.M. HEARING** to consider Rezoning Application. No. R-01-026, and related environmental findings, filed by Kirk Kerkochian, for 1.77 acres of property located at 7443 N. Maple Avenue (**Council District 6**) - Development Dept.

1. Consider and adopt Categorical Exemption for Environmental Assessment No. R-01-026, dated July 12, 2001
2. **BILL** - Amending the Official Zone Map to rezone property from the R-P/UGM/cz zone district to the R-P/UGM zone district

**Action Taken:**

**11:30 A.M. HEARING** to consider Rezoning Application No. R-01-032, and related environmental findings, filed by Cambridge Homes, for 18.25 acres of property located on the north side of W. Palo Alto Avenue between N. Polk and N. Milburn Avenues (**Council District 2**)- Development Dept.

**Action Taken:**

**11:45 A.M. HEARING** to consider Rezoning Application No. R-01-011, and related environmental findings, filed by Centex Homes, for 3,235 square feet square feet of property located on the northeast corner of N. Sommerville Drive and E. Shea Avenue (**Council District 6**) - Development Dept.

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. R-01-011, dated July 23, 2001
2. **BILL** - Amending the Official Zone Map to rezone property from the AE-20/UGM zone district to the R-1/UGM/cz zone district

**Action Taken:**

**2:00 P.M. #1**

### CONTESTED CONSENT CALENDAR

**2:00 P.M. #2**

Presentation on reorganization of Public Works Department

- a. \* **RESOLUTION** - 4<sup>th</sup> amendment to Salary Resolution No. 2001-199 creating the Public Works Manager and Assistant Director of Public Works Classes - Public Works/Admin.

**Action Taken:**

**2:00 P.M. #3**

### CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Benjamin Jones and Angil P. Morris v. City of Fresno, et al.
2. **Case Name:** Neil Manha v. City of Fresno
3. **Case Name:** Henry Monreal v. City of Fresno

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)

**Significant Exposure of Litigation:**

1. **Case Name:** Claims of Barbara Hunt (6 claims)
2. **Case Name:** City of Fresno v. Garfield Park Highlands, L.P., PR Farmers, et al., (Sugar Pine Trail)

**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M. #3

### CLOSED SESSION CONTINUED

- C. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (c)

**Significant Exposure of Litigation:**

1. **Case Name:** City of Fresno v. City of Clovis

**Action Taken:**

- D. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

**City Negotiator(s):** Andrew T. Souza, Severo Esquivel and Jorge Aguiniga,

**Employee Organization(s):**

1. International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
2. International Brotherhood of Electrical Workers Local 100 (IBEW)
3. Fresno Police Officers Association (FPOA)

**Action Taken:**

- E. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

1. **Property:-** One parcel of land of 3.6 acres of city-owned land at the southwest corner West Herndon and North Brawley Avenues

**City Negotiators:** Mark Williamson, Andrew T. Souza, Daryl Balch

**Negotiating Parties:** Garreks, Inc.

**Under Negotiation:** Instructions to negotiator will concern price and terms of payment

**Action Taken:**

- 2:15 P.M. Appearance by local legislators in support of the Calpine contract - Councilmember Duncan

**Action Taken:**

- 2:30 P.M. Report by Santiago Wood, Superintendent of Schools regarding Fresno Unified School District Truancy Plan - Councilmember Duncan

**Action Taken:**

- 3:30 P.M. Request the Council of Fresno County Governments (COG) to study the feasibility of an on ramp and off ramp on State Route 41 to service the Woodward Bluffs Mobilehome Park - Councilmember Duncan

**Action Taken:**

- 4:00 P.M. **HEARING** supporting AB 911 banning use of cell phones while driving - Councilmember Calhoun

- a. **RESOLUTION** - In support of Assembly Bill AB 911 proposing to ban the use of hand-held cellular telephones while driving

**Action Taken:**

- 4:45 P.M. Establish rates of fare to be charged by taxicabs in the City of Fresno and provide direction to City staff regarding taxicab fares and revisions to the taxicab ordinance - DAS/Finance

- a. **RESOLUTION** - Establishing rates of fare to be charged by taxicabs in the City of Fresno - DAS/Finance

**Action Taken:**

**\* ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Approve Local Cooperation Agreement between the Indian Housing Authority of Central California and the City of Fresno in connection with the payment of property taxes - DAS/Finance  
**Action Taken:**
2. \* **RESOLUTION** - Authorizing investment of monies in the Local Agency Investment Fund and approving promissory note from the Fresno Joint Powers Financing Authority - DAS/Finance  
**Action Taken:**
3. Award a contract to furnish and install Van Ness street lights from Harvard to Shields Avenues - DAS/Purchasing  
**Action Taken:**
4. Consideration of proposed Teague-Willow No. 4 Reorganization consisting of approximately 96 acres proposed for detachment from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno - Development Dept.
  - a. **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Teague-Willow No. 4 Reorganization  
**Action Taken:**
5. \* **RESOLUTION** - 13<sup>th</sup> amendment to AAR 2001-200 to increase Council District funds of \$590,400 based on the unexpended balances in FY 2001 infrastructure budgets (**Requires 5 affirmative votes**) - Budget Division  
**Action Taken:**
6. \* **RESOLUTION** - 387<sup>th</sup> amendment to the MFS Resolution No. 80-420 to amend the hourly rates for Contracted Law Enforcement Services - Police Dept.  
**Action Taken:**
7. Approve license agreement with Tree Fresno - Parks Dept.  
**Action Taken:**
8. Approve an agreement between the City of Fresno and Tree Fresno for landscape maintenance services - Parks Dept.  
**Action Taken:**
9. Approve Airport Travel Agency lease and concession agreement between the City of Fresno and Mundo Travel Corporation at Fresno Yosemite International Airport - Airports Dept.  
**Action Taken:**
10. Approve Lease Addendum No. 1 to the cargo building lease and agreement between the City of Fresno-Airports and American Airlines - Airports Dept.  
**Action Taken:**

1A. **GENERAL CONSENT CALENDAR CONTINUED**

11. Approve additional funds for Contract Change Order No.3 for the Fresno Yosemite International Airport Airfield lighting remote control project under Federal Aviation Administration AIP Grant - Public Works/Airports Dept.  
**Action Taken:**
12. Reject bid for traffic signal upgrade at Tulare and Van Ness Avenues - Purchasing Division  
**Action Taken:**
13. Reaffirm authorization to purchase property at 1615 El Dorado for use by the Solid Waste Division - Public Works/Capital Mgmt.  
**Action Taken:**
14. \* **RESOLUTION** - 6<sup>th</sup> amendment to Salary Resolution No. 2001-199 - DAS/Human Resources
- a. Create the class of Assistant Retirement Administrator
  - b. Establish a new salary range for Council Assistants equivalent to the E3 range
  - c. Create the class of Labor Relations Specialist
  - d. Amending the salary rate of Drug Abuse Resistance Education (D.A.R.E.) Instructor
- Action Taken:**
15. \* **RESOLUTION** - 14<sup>th</sup> amendment to the AAR No. 2001-200 appropriating funds for the completion of downtown parking projects (***Requires 5 affirmative votes***) - Public Works/Admin.  
**Action Taken:**
- a. \* **RESOLUTION** - 15<sup>th</sup> amendment to the AAR No. 2001-200 appropriating funds for the maintenance of landscaping and streets of recently annexed subdivisions (***Requires 5 affirmative votes***)  
**Action Taken:**
16. \* **RESOLUTION** - 12<sup>th</sup> amendment to the AAR No. 2001-200 by appropriating \$97,000 to complete funding for the Federal Courthouse utility relocation (***Requires 5 affirmative votes***) - DAS/Purchasing  
**Action Taken:**
- a. Award a contract for Federal Courthouse utility relocation  
**Action Taken:**

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Accept final report of the Blue Ribbon Commission on reformation of competitive bidding of public construction projects and direct staff to prepare documents necessary for amending the Fresno Charter and Municipal Code  
**Action Taken:**

3. **GENERAL ADMINISTRATION CONTINUED**

- B. **RESOLUTION** - making 16<sup>th</sup> Expansion of the Fresno Enterprise Zone, adding 46.30 acres for E & J Gallo Winery, Inc. in the proximity of Olive and Belmont Avenues to the Fresno Enterprise Zone - City Manager's Office  
**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request appropriate elected officials/staff from the City of Fresno and County of Fresno to meet with Madera County elected officials/staff to discuss joint development planning issues - Councilmember Calhoun  
**Action Taken:**
- B. Council appointment to the Health and Welfare Trust - Council President Perea  
**Action Taken:**
- C. Modify the Tower District Commercial Lighting and Safety Program to allow use of \$12,700 in CDBG funds as a grant to Fresno High School District to partially fund installation of outdoor lighting of the Fresno High School Football and Track Field, and authorize City Manager to negotiate and enter a CDBG funding agreement for the completion of this project, which will include extended neighborhood usage of the field, subject to prior approval as to from by the City Attorney's Office - Councilmember Boyajian and Acting President Ronquillo  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.



## SCHEDULED COUNCIL HEARINGS AND MATTERS

- Sept. 4 - NO MEETING - COUNCIL VACATION
- Sept 11 - NO MEETING - COUNCIL VACATION
- Sept. 18 - Workshop on street trees
- Sept. 18 - RDA - approve agreement with ALGIN Development & Construction, Inc., for construction of Wyndham Hotel, at "M" and Inyo streets
- Sept. 18 - 10:00 A.M. HEARING re: Rezone Appl. No. R-01-027, filed by Tutelian Development Partners, located at the southwest corner of W. Nees and N. Blackstone Avenues
- Sept. 18 - 10:15 A.M. HEARING to consider formation of UUD No. FRE-77 (Peach Ave. betw. Belmont and Butler Avenues)
- Sept. 18 - 10:30 AM#1 HEARING re: Rezone Appl. No. R-01-025, filed by Ron Miller
- Sept. 18 - 10:30 AM#2 HEARING re: Vacation of Harrison Avenue between Belmont and "H" Street
- Sept. 18 - 11:15 A.M. Report on UGM Program
- Sept. 18 - 11:00 A.M. CONTINUED HEARING regarding the formation of Community Facilities District No. 5 (Foundry Park)
- Sept. 25 - 10:00 A.M. HEARING re: CFD No. 2, Annexation No. 29
- Sept. 25 - 10:05 A.M. HUD Workshop (Housing)(1-2 hours) - Councilmember Boyajian
- Sept. 25 - 5:30 P.M. HEARING re: Text Amendment relating to auto sales
- Oct. 2 - 10:00 A.M. HEARING re: PA. No. A-01-010, Rezone Appl. No. R-01-013, filed by Thanh Cao
- Oct. 9 - 10:00 A.M. HEARING re: vacation of C-99 alley, between Tulare & Kern, RI 1024-D
- Oct. 16 - 5:30 P.M. Adoption of Bill No. B-68 regarding to Text Amendment No. TA-00-02 relating to group housing facilities
- Oct. 23 - NO MEETING
- Oct. 30 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following, 2<sup>nd</sup> floor foyer*)

